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WORK & LEARNING

A New Justice Paradigm

Collaborative Approaches
for an Equitable System

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What I hear from young people is: I just want somebody to listen to me. I want somebody to hear me out and not judge me just because of the way that I'm behaving. I want them to get to know me—and not get to know me by reading my file, but get to know me by asking me.

—ANDRAYA SLYTER, COO, THE RIGHTWAY FOUNDATION

A New Justice Paradigm: Collaborative Approaches for an Equitable System

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METHODOLOGICAL APPROACH

For this report, we conducted an extensive review of the literature and analyzed government reports and publications of multiple U.S. foundations and not-for-profits devoted to the cause of criminal justice. We interviewed criminologists, probation and parole officers, and reentry specialists throughout the United States, as well as program directors, case managers, workforce coaches, social workers, and community partners associated with our Compass Rose Collaborative. We also talked with young adults who were formerly involved with the justice system and now work in the Compass Rose Collaborative program. We list all interviewees' names and organizations in the Appendix. We have, however, given the young adults we interviewed aliases to protect their privacy.



ABOUT FHI 360

FHI 360 leads the Compass Rose Collaborative (CRC), a program 100 percent funded by the United States Department of Labor's Reentry Program in the amount of \$4.5 million. No other sources of funding support this program. The Compass Rose Collaborative seeks to improve the education and employment outcomes of young adults, ages 18 through 24, after involvement in the U.S. criminal justice system. The CRC works with partners in communities with high rates of poverty and crime. The Collaborative supports young participants in partner organizations by implementing a program model that provides youth with support services; creates lasting community-based partnerships; and documents and promotes effective and promising practices.

The photos in this report are illustrative only and do not represent the individuals interviewed or quoted.



I. Introduction

A New Justice Paradigm: Collaborative Approaches for an Equitable System, explores the justice system from the perspective of criminal justice practitioners and current and former justice-involved young adults ages 18–24. We take this approach both to understand better—at the ground level—the system that exists and to help imagine a more supportive, more efficacious, and more equitable alternative. Some of the striking elements of the current justice system include the overwhelmingly disproportionate representation of young Black males in the system and the tragedy of how trauma has affected their young lives. Institutional inflexibility, from first contact with law enforcement through incarceration, limits young people’s chances to break the cycle of poverty and to pursue work and learning opportunities that could enrich their lives and their communities. For those who are incarcerated, reentry is often not just the end of one troubling time, but the beginning of another set of seemingly insurmountable challenges to be overcome.

Each phase of an individual’s interactions with the justice system presents opportunities for exit, diversion, and creative alternate solutions—chances to **increase equity**. These may not always be recognized by criminal justice practitioners. Here we examine contact, courts, incarceration, and reentry. We celebrate these positive strategies and approaches.

Our research suggests that some fundamental practices can enhance opportunities for justice-involved young people. These practices include adopting **trauma-informed training** and approaches; establishing broad and deep **community-based collaborations** and partnerships to support young people wherever they are; developing and fostering **strong personal relationships** between caring adults and young people; and including **relevant work and learning** opportunities to enable young people to pursue their dreams. Key to implementing these practices is listening to the voices of young adults, whose stories we share here.

YOUNG ADULTS IN THE JUSTICE SYSTEM ARE DISPROPORTIONATELY MALE AND BLACK

In July 2019, 328 million people were living in the United States, and 30.2 million of them were between the ages 18 of 24. Youth in that age group reflected the demographics of the U.S. population generally: 51 percent male; 53 percent white; 23 percent Hispanic; 14 percent Black; and 10 percent Asian, American Indian/Alaskan native (AIAN), Native Hawaiian/Pacific Islander (NHPI), or two or more races.¹ (See Figure 1.)

The demographic make-up of young adults who were imprisoned in that year, however looked entirely different. (See Figure 2.) In 2019, 93 percent of young people aged 18–24 who were sentenced and imprisoned in the United States under the jurisdiction of federal and state correctional authorities were male, and 39 percent were Black males. White males ages 18–24 were disproportionately underrepresented in the prison population. All other races were overrepresented, with more than five times as many Black males and twice as many Hispanic males incarcerated as expected vis a vis their proportion in the population.² Black males ages 18 and 19 were 12 times as likely to be imprisoned as white males of the same ages.³

These inequities directly impact not only the young adults who are imprisoned, but also their families and communities—resulting in more single parent families, more families who may be food or housing insecure, more persistent (even intergenerational) poverty, more disconnection from work and learning, and more children affected by the trauma of having an incarcerated parent or sibling.

On a broader scale, these inequities translate into pervasive, negative social and economic conditions:⁴



Economic—Income inequality is associated with broader economic instability, debt, and financial crises.



Education—Varying levels of educational attainment result in lower social and economic mobility.



Crime—Property crime and violent crime increase when there is limited economic opportunity.



Health—Health outcomes for marginalized people are reduced owing to stress, anxiety, and lack of access to adequate health care.



Social engagement—Marginalized people tend to trust less and are less likely to participate in civic or social activities.

Figure 1. Demographics of 18–24 year olds living in the U.S., 2019

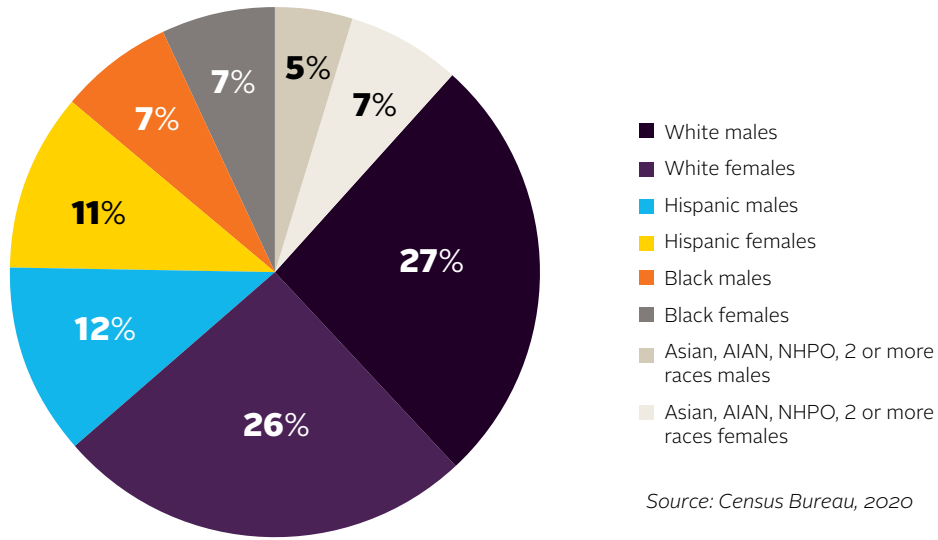
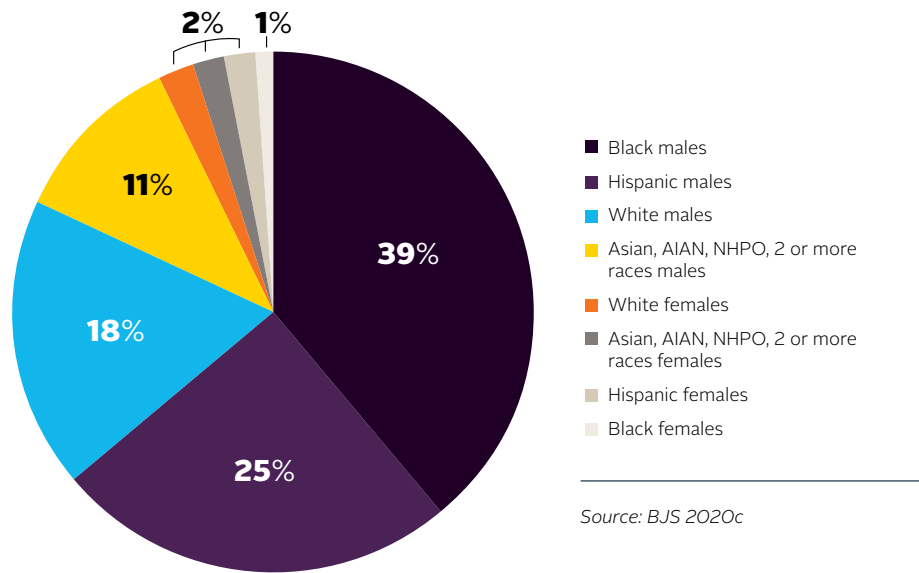


Figure 2. Imprisoned 18–24 year olds in the U.S., 2019



The disproportionality evident in the criminal justice data for people of different races is reflected in the arrests, probation, and parole data for U.S. adults in 2018 and 2019.⁵ (See Table 1.) While whites were arrested in about the same proportion as their representation in the population, the *imprisonment, probation, and parole rates* for whites fell well short of their prevalence. The reverse is true for Blacks; i.e., post-arrest, Blacks made up a higher percentage of the imprisoned, probation, and paroled population than the arrested population.



Table 1. U.S. residents arrested, imprisoned, or on probation or parole are disproportionately male and Black

	TOTAL U.S. POPULATION 2019**	ARRESTS 2019+	IMPRISONED 2019++	PROBATION 2018§	PAROLE 2018§
TOTAL NUMBER	328.2 M	10 M	1.43 M	3.5 M	878,000
PERCENT MALE	49.3	72	92.4	75	87
PERCENT WHITE	76.3	69.4	40	55	46
PERCENT BLACK	13.4	26.6	39	30	37
PERCENT ASIAN, AIAN, NHPI, TWO OR MORE RACES *	10.3	4	3.4	2	2
PERCENT HISPANIC	N/A	N/A	18	13	15

* AIAN refers to America Indian or Alaskan Native; NHPI is Native Hawaiian or other Pacific Islander

Sources: **(*Census Bureau, 2020*); +(*FBI, 2020*); ++(*BJS, 2020a*); §(*BJS 2020b*)

ADVERSE CHILDHOOD EXPERIENCES AND TRAUMA AFFECT YOUNG ADULTS' MENTAL HEALTH

The U.S. Centers for Disease Control (CDC) defines adverse childhood experiences as potentially traumatic events that occur before the age of 18. These can include domestic or community violence; physical, sexual, or emotional abuse; and neglect or abandonment.⁶ Growing up in an environment with dysfunction and stress, in a family with mental health or substance use challenges, or with parental depression can be traumatic for children. Separation from parents, whether due to divorce, military deployment, deportation, or incarceration can also contribute to childhood trauma as can serious illnesses, deaths, or disasters. When adverse experiences are ongoing or reoccurring, they can exacerbate the traumatic effect.⁷

Adverse childhood experiences are not uncommon. Research cited by the National Child Traumatic Stress Network in 2018 shows that by age 16, two-thirds of children in the United States have experienced a traumatic event of some sort.⁸ In some instances, prolonged exposure to adverse experiences like abuse or neglect can result in toxic stress, which can permanently disrupt the developing architecture of a child's brain—affecting learning, memory, mood, and impulse control and the development of linguistic, cognitive, and social emotional skills.⁹

Adolescents with a history of multiple adverse experiences are more likely than others to turn to unhealthy lifestyle—illicit drug or alcohol use, tobacco use, obesity, or promiscuity—as coping mechanisms. These young people are also at higher risk of school failure, gang membership, unemployment, poverty, homelessness, violent crime, and incarceration.¹⁰ Traumatic childhood experiences are associated with teen pregnancy, involvement in sex trafficking, and mental health challenges.¹¹

Rosa's story and those of countless other youth across all groups bear this out.

▶ *Trauma impacts brain development at a very early stage of life. But what I also know is that a supportive relationship can actually help restructure the brain and build brain architecture. The supportive piece is so important to growth and development. Honestly, it helps young people build their confidence because while we're supporting them, they're doing all of the work. And that is empowering for them.*

— **ANDRAYA SLYTER**, COO, THE RIGHTWAY FOUNDATION



Rosa's Story

I went to jail on October 21 of 2019 and was released on February 21 of 2020. I was sentenced to five years, suspended after six months with three years' probation. If I mess up, I'm going to jail for five years. My second year is almost up; it comes up in February.

Right now, I'm self-employed. I'm a model, though I stopped modeling for a really long time after I was kidnapped and raped (at 14) by a photographer. I was living in the streets, I was homeless, and there was this photographer. You know, I'm pursuing my dreams, but I was basically naïve. And he kind of used me. He told me he could take me to Atlanta, that I could be something better. That's not what happened.

I'm not going to lie. It was the worst thing ever. I was only 14. No one really knew about it, but my mom knows about it now. At the time she didn't. My mom was raped. She isolated. My aunt used to be a prostitute, I guess. So, my family was saying you're going to be just like her. That messed me up a lot, too.

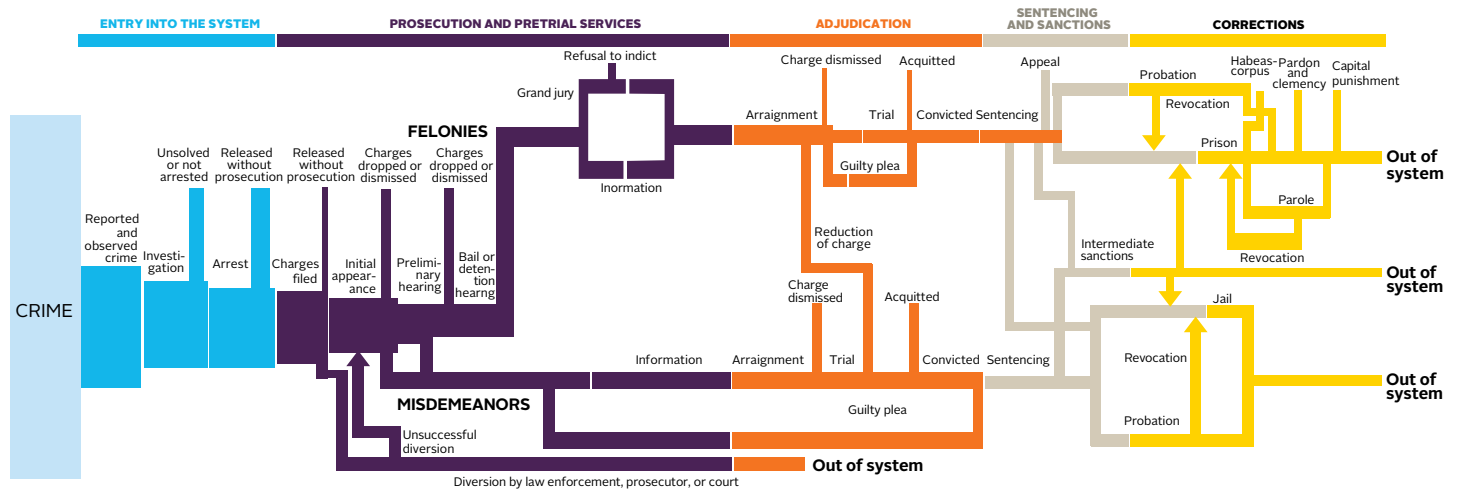
I question everything I do. Like, what's my problem? I'm always self-analyzing myself. Is this from my PTSD [post-traumatic stress disorder]? Is this from my past? Is this from my abusive relationships? Is this from being in jail? PTSD comes from a lot of random things. You don't need to be raped to have PTSD. Jail gives you PTSD. Your mother not being there for you gives you PTSD. Your sister hitting you in the back of the head three times a day gives you PTSD.

I've been to prison twice. I've been kidnapped. I've been raped more than one time. I've done a lot in my life just to survive. It was so hard for me to go to school. Me and my mom butted heads, and she didn't want me home. So, I was more worried about a place to sleep than my education —Rosa



II. The Justice System

Figure 3. The path through the justice system is complex



Note: This chart gives a simplified view of caseload through the criminal justice system. Procedures vary among jurisdictions. The weights of the lines are not intended to show actual size of caseloads.

U. S. Bureau of Justice Statistics

Source: Adapted from *The challenge of crime in a free society*, President's Commission on Law Enforcement and Administration of Justice, 1967. This revision, a result of the Symposium on the 30th Anniversary of the President's Commission, was prepared by the Bureau of Justice Statistics in 1997.



6.7M

people live under the control of the justice system

Today approximately 6.7 million people live under the control of the justice system—either under incarceration or some form of supervision such as probation or parole.¹² Further, about 12 million people are booked at local jails each year for minor offenses. Many of these people remain detained due to their inability to afford bail.¹³



12M

people are booked at local jails each year for minor offenses

The justice system continues to evolve, as evidenced by, for example, the creation of specialty courts (problem-solving court sessions), where young adults' circumstances and needs can be addressed constructively. In youth depositions, court officials are also giving increased consideration to adolescent brain development. Yet, while the justice system seems enabled to treat young adults differently, it does not always implement such strategies effectively.

Many Americans today perceive a dysfunctional, overly punitive, and unfair justice system, particularly in terms of race. While they are interested in punishment proportionate to crimes, many also see value in treatment, education, and getting to the root causes of crime and criminal behavior.¹⁴



© Jessica Scranton



For this report we selected a limited number of challenges to address across four stages of the justice system. We chose these because of their significant impact on individuals' current and future lives and their recurrence as issues among the youth we interviewed. For discussion purposes, we name the stages of the justice system **Contact**, which includes first encounter with law enforcement through pre-trial; **Courts**, which consists of arraignment through sentencing; **Incarceration**, which is the time spent in confinement; and **Reentry**, which is post-release into the community.

CONTACT

The Contact stage presents issues around arrest and bail, which is historically used to ensure court appearance and community safety. Contact often begins with arrest at the hands of law enforcement. In approximately 20 percent of arrests, however, referrals to the police come from schools, churches, social services, or parole.¹⁵ Upon arrest, young adults who are charged as adults are sometimes screened for any immediate mental health needs. Depending on the seriousness of their charges, they may be held until their arraignment or released if they have the ability to pay bail.

Arrest today can be highly consequential for young adults, because it can influence a young person's ultimate path within the justice system and have long-term consequences. Reducing arrests and getting young people into care or treatment offers a promising way forward. The pre-trial detention system can also have crippling consequences, long-noted as a locus of **inequity** that punishes people of color disproportionately.



Calvin's Story

I had just turned 18, literally just turned 18 [when I got arrested]. A speedy trial in [state] is nothing less than eight months, and that's eight months just to start the process. So, you're never going to do less than a year if you're going to trial. So, I ended up taking the time. I copped out. I took the plea deal for 15 months.

I ended up giving them ten years of my life. It was 15 months incarceration period, and then three years' probation, and a five-year cap, which is something they hold over your head. So, if you got convicted for the same charges, your first offer would be pretty much like five years. I'm actually on parole right now.

My first time being on parole was a crazy experience. Police was knocking down my doors, and there were like 20 police officers searching my room, flipping it up and doing things that I wasn't used to. So, I was like, wow, this is different. But now, COVID's got everybody scared, so I barely see my parole officer. Plus, I'm doing what I need to be doing. I'm in school and stuff like that. I have the same parole officer now that I had the first time I was incarcerated, so I lucked up. She already knows me. She knows how I operate.

Jail isn't a place I would really wish on nobody. Like you'd have to do a really heinous crime for me to be like, you know what, I think he deserves jail. Some people believe in the jail system. Me, I don't believe in it.

Jail really is slavery, modern day. That's what it is. The chains, the cells, everything that they do is to let you know that you are enslaved. You are the property of the state. We own you. And they let you know that. They're feet shackling you. They're wrist shackling you. They're shackling your feet to your body, from your body to your wrist. I've seen it all. They'll put you in the hole for so long, so fast. I've seen people in solitary confinement having full-blown conversations with themselves. Nobody can really tell you what that does to you mentally.

The governor we have now has done a lot of things to get people who have felonies or misdemeanors back in the community. One thing to better the community for sure is that they're lessening the amount of people that they're readmitting into prisons and jails for parole for things like dirty urine specimens. People don't really go to jail for that no more. They put you in programs, which is something that's definitely going to help. Some people really have drug problems. And if you believe that putting a person in prison is the way to deal with that, that's completely wrong. —Calvin





A VARIETY OF CRIME AND CRISIS RESPONSES WILL REDUCE ARRESTS FOR YOUNG ADULTS

Almost half of all young adult arrests in the United States are for non-violent offenses. In an average year, about 49 percent of arrests of 18–24 year olds are for non-violent offenses.¹⁶ In 2019, this age group accounted for 20 percent of all arrests, despite representing only about 9.2 percent of the population.¹⁷ These statistics show that young adults are being arrested in numbers beyond their share of the population, often for relatively minor and non-violent infractions. These arrests potentially create criminal records that will follow the young adults for their whole lives, likely affecting where they live, their employment, their health status, and educational attainment.

A 2016 Juvenile Law Center review of several recent studies found that:¹⁸

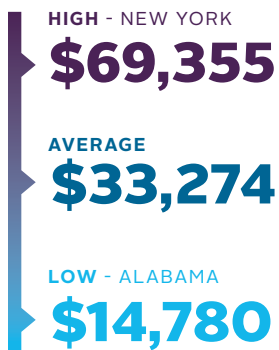
Over 40 percent of employers reported that they would ‘definitely’ or ‘probably’ not hire an applicant with a criminal record for a job not requiring a college degree; 11 percent of employers reported that even a minor criminal infraction would prevent them from hiring a prospective candidate; and researchers found that employers are more than 50 percent less likely to make a callback or job offer to applicants with a criminal record. These practices harm applicants of color more than white applicants.

Introducing flexibility into the modes of crime and crisis response may not only reduce the use of deadly force; it may lead to resolving non-violent situations peacefully and without resulting in arrest, thus keeping young adults out of the justice system. Alternative responses could involve: 1) prioritizing de-escalation techniques, and 2) using unarmed trained specialists, such as social workers and medics, who may be able to defuse situations and address issues such as mental health crises, homelessness, domestic violence, drug use, and sex work—situations for which the police may not be effectively trained.¹⁹

An example of where such flexible response is already working is Eugene, Oregon, which has become a model across the country. Called the CAHOOTS program, (Crisis Assistance Helping Out on the Streets), a medic and a crisis responder are sent out instead of an armed police officer for the situations noted above. They arrive in a plain white van with medical supplies and blankets to help someone in a crisis. As of 2020, the program was handling 20 percent of local 911 calls in Eugene.²⁰ Olympia, WA, Oakland, CA, Denver, CO, New York, NY, Indianapolis, IN, Austin, TX, and Chicago, IL, are all exploring programs based on CAHOOTS to enhance their response models.



Vera Institute of Justice found that the average total annual cost per incarcerated person was



De-escalation training is the focus of a New York City partnership between the New York Police Department and the New York Peace Institute. The program trains officers in all five boroughs in mediation, de-escalation, and conflict resolution skills for use in crime and conflict situations. Training has led to fewer arrests, better community relations, avoidance of violent interactions, and increased voluntary compliance by civilians (such as agreeing to questioning).²¹

There are practical, economic advantages to keeping youth out of the justice system and **connected to the workforce and education systems**. In its 2016 survey of state prison expenditures, for example, the Vera Institute of Justice found that the average total annual cost per incarcerated person was \$33,274—with a low of \$14,780 (Alabama) to a high of \$69,355 (New York).²² These per person figures reflect the costs of facility security, staff salaries and benefits, in-house services and programming, food, recreation, educational offerings, utilities, upkeep, and health care.

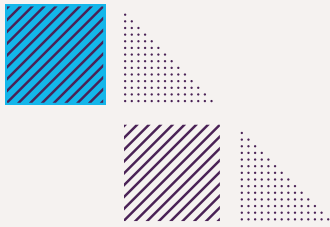
BAIL REFORM WILL REDUCE THE INEQUITIES INHERENT IN THE MONEY BAIL SYSTEM

While the bail system in the United States has many ardent supporters as well as detractors, there is no question that the system discriminates against the impoverished and people of color. The Prison Policy Initiative (PPI) reports, for example, that 60 percent of those unable to post bail fall in the poorest third of society and 80 percent fall in the bottom half. According to PPI, people in jail in 2015 had a median annual income of \$15,109 prior to incarceration, with white males having the highest incomes and Black females having the lowest.²³ Because Black males are disproportionately arrested and imprisoned, the vagaries of the bail system hit them the hardest. Black males who were jailed in 2015 had pre-incarceration incomes 64 percent lower than their non-incarcerated counterparts.²⁴

Bail is a mechanism to ensure that individuals charged with crimes appear in court. In effect, people deposit cash or property as a condition of their release after initial arrest; it is returned if they follow through with the court process. People deemed to be at highest risk pay the most bail or may be denied bail. However, in practical effect, bail is a means-based release system. People who lack the funds to meet bail requirements have three choices: sit in jail while awaiting trial (possibly for months), incur financial hardship by borrowing the money from friends and family or through a commercial bail bondsman, or plead guilty and forego their right to a trial. In 2017, approximately 16,000 young people were held in pre-trial detention in the U.S. without being convicted or sentenced, many because they could not post bail.²⁵

Although the third option, admitting guilt or accepting a plea deal, might appear to be an easy way of avoiding jail or receiving a reduced sentence for young people, that choice invites more problems. If young people are placed on community supervision, they face the risk of later incarceration due to sometimes minor, technical violations. Pleading guilty introduces collateral consequences stemming from having a record—such as the inability to get a job, establish credit, or reside in public housing.

Joseph's Story



I was offered \$100,000 bail. [He was 15.] So I was detained before trial in a county jail. I was there for 11 months the first time. I was placed in solitary because I was caught with “hooch.” [alcohol] —Joseph

▶ *Sitting in jail for simply not being able to afford bail shows the stark contrast between how the rich and indigent are treated in our justice system. The pay for freedom bail system derails our young people from participating in work, school, and prosocial activities that could lift them out of poverty and boost their climb up the ladder of economic development. Young people cannot reach their full potential nor productively give back to their communities when they are behind bars; they essentially lose out while being locked up.*

—**CAITLIN DAWKINS**, DIRECTOR,
JUSTICE PROGRAMS, FHI 360
NATIONAL INSTITUTE FOR WORK
AND LEARNING

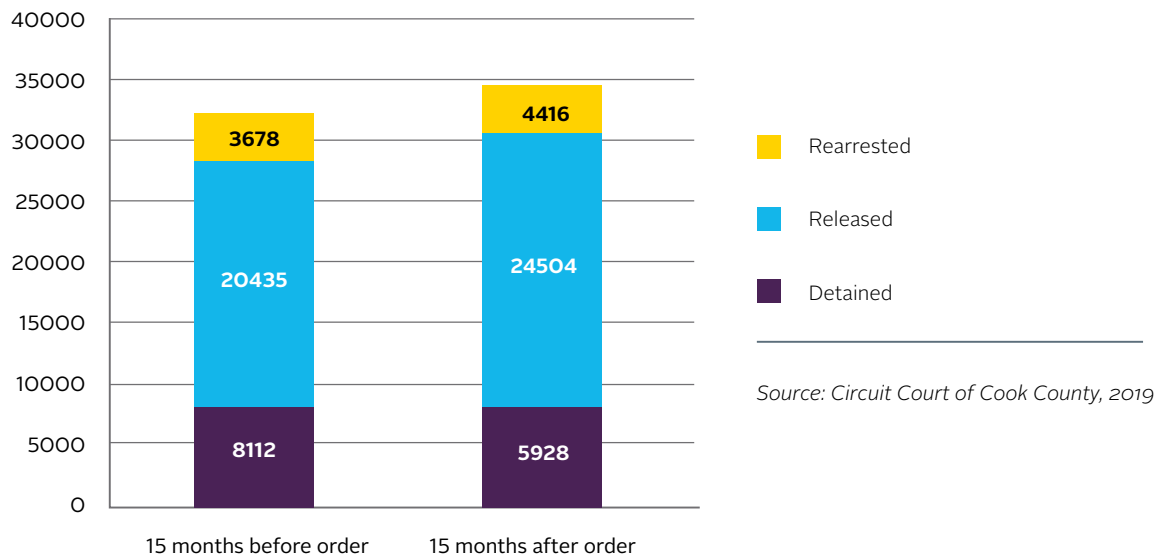
In addition to being inequitable and forcing some perhaps innocent young people into untenable situations,²⁶ the bail system results in a multitude of unintended and unjust consequences for individuals not yet convicted of a crime. Pre-trial detention causes people to lose their jobs, their housing, their ability to care for their families, and their contact with loved ones—aside from the added trauma it causes. For young people in school or training programs, it interrupts their growth and development and adds another hurdle to overcome.

The solution to the problems inherent in the current bail system is to **establish more equitable processes** by eliminating money bail and using other forms of pre-trial release, such as release on one’s own recognizance, unsecured bonds, and/or better assessment tools to determine who should be released prior to trial. Advocates for bail reform argue that a presumption of release—in all cases where the defendant is not a threat to the community or a flight risk—should govern.

While several states—including New York, California, New Jersey, Wisconsin, Oregon, Kentucky, plus the District of Columbia—have attempted to address the inequities raised by cash bail,²⁷ Illinois became the first state to eliminate cash bail completely, with Governor Pritzker’s signing of the Pre-trial Fairness Act on February 22, 2021.²⁸ Under the new system in Illinois, judges will determine the risk a defendant poses if released and whether an individual needs to be detained until trial. The reforms go into effect on January 1, 2023, allowing the state to prepare for the changes.²⁹

The Illinois law followed an earlier bail reform initiative in Cook County (Illinois). In 2017, Timothy Evans, the Chief Judge of the Cook County Circuit Court, required bail to be set according to the defendant’s ability to pay. A subsequent study compared pre-trial decisions made 15 months after the order to decisions 15 months prior to the order.³⁰ (See Figure 4.) In addition to substantially reducing the numbers of people detained in Cook County, the study found that 99.4 percent of the defendants released after the order were not rearrested for violent crimes, a concern often voiced by opponents of bail reform.

Figure 4. Cook County, Illinois, felony defendants 15 months before and after the September 2017 bail reform order



The study also showed an associated reduction in the number of people sentenced to state prison, from 4,873 in 2016/17 to 3549 in 2018/19. Austin and Naro-Ware³¹ suggest that the judge’s order may have had the positive unintended consequence of reducing the number of people sentenced to state prison, because defendants who are not in pre-trial detention have less incentive to plead guilty.

COURTS AND PROBATION

The Justice Department calls probation “the workhorse of the juvenile justice system.”³² Probation was ordered in 51 percent of the 505,400 juvenile delinquency cases sanctioned by the justice system.³³

Probation is a form of punishment (sanction) ordered by a court when someone has been found guilty of a crime. Typically, probation is structured around a set of rules, obligations, and restrictions levied by a judge that govern the behavior of the young person with the goal of changing delinquent behavior and thwarting recidivism. These rules and behaviors are monitored and reported by a probation officer. Not all offenses are eligible for probation.



Probation can also be a form of diversion and used by courts as an alternative to incarceration, allowing a person to remain at home or in their community while their activities are being supervised by a probation officer. Given the high levels of past trauma, poverty, parental incarceration, and substance abuse among some young adults, courts need to consider such factors carefully in planning successful supervision programs. Probation can take many forms and varies from case to case. For example, a judge can require:

- Community service
- Counseling
- Fines
- Referrals to other agencies
(drug treatment, mental health, workforce programs)
- Jail time
- Restitution
- Other restrictions such as prohibitions on possession or use of drugs, alcohol, or weapons

While processes for responding to delinquent youth vary by state, county, and sometimes city, violations by young people may be handled by probate courts, drug courts, juvenile divisions of a circuit court, or even comprehensive family courts.³⁴ These specialized courts recognize and target specific needs of young offenders, with the goals of preventing recidivism, getting youth help (where needed), and avoiding prison sentences where possible. Additional best practices in some youth courts include closed proceedings, trauma training for judges and prosecutors, and sentence limitations or ceilings. Probation and diversion are routinely used by judges and other court officials as means for reducing confinement time, allowing for **community-led solutions**, or providing access to treatment where needed for mentally ill youth or substance users.



Probation has been obsessively focused on criminogenic needs and is deficit-based. It should be more focused on building partnerships and pathways that support personal growth in ways that everyone wants for their children (for instance, getting a driver's license, first job, or any other milestone in the life of a teenager). Surveillance-oriented probation lags behind what we know about youth development. Juvenile probation is based on an adult system which has not worked well. For example, lengthy court orders and conditions are not aligned with how young people process information and behave, so are not reasonable expectations for youth and set them up to fail.

—STEPHEN BISHOP, SENIOR ASSOCIATE, JUVENILE JUSTICE STRATEGY GROUP, THE ANNIE E. CASEY FOUNDATION

In our interviews, however, we found that most young adults on probation had significant challenges meeting their probation obligations while finding time for self-development—be it work or learning—that could restore stability to their lives. We also found that court officials have multiple tools and options at their disposal that can often be more creatively deployed to minimize or eliminate incarceration and criminal records.

AN ASSET-BASED COMMUNITY APPROACH TO PROBATION CAN SUPPORT YOUNG PEOPLE AND REDUCE RECIDIVISM

A study by the Annie E. Casey Foundation cites several problems with how juvenile probation is constructed and carried out in the United States. The study notes that, “Surveillance-oriented probation is not an effective strategy for reversing delinquent behavior, with insignificant effects on reoffending, and especially poor results with youth at low risk of rearrest.”³⁵ In many cases, the conditions of probation are not constructed so that youth can succeed. The report notes that juveniles may be required to fulfill over 30 individual conditions, making it hard to maintain probation compliance, much less do anything else.³⁶

Such onerous requirements prevent juveniles and young adults from resuming their education or pursuing employment opportunities. In the course of a typical week, a young person trying to gain employable skills and complying with probation requirements may also have to do errands, visit family, attend court-mandated workshops, get drug tested, and attend social services and other appointments. Required appointments may be across town from employment or school locations—disrupting education, training, and employment success, adding transportation costs and time, and increasing the likelihood of probation violations.³⁷ Conflicting schedules, barriers such as transportation and accessible, affordable childcare, and other obligations also increase the likelihood of violation, putting a young person back on a track to incarceration.

The Annie E. Casey Foundation report explains that probation often “pulls young people deeper into the system without offering the support and guidance that puts them on the right path and reduce the likelihood of offending.”³⁸ The authors assert that the purpose of juvenile probation is unclear. Instead of harsh restrictions, youth should be offered incentives and opportunities to obtain skills.



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Seemingly trivial and random violations (such as being late for an appointment) or the temperament of the probation officer can result in a young adult being returned to prison. A 2019 study by the Council of State Governments, Justice Center, found that, “45 percent of state prison admissions nationwide are due to violations of probation or parole for new offenses or technical violations. And technical violations, such as missing appointments with supervision officers or failing drug tests, account for nearly one quarter of all state prison admissions.”³⁹

Some jurisdictions offer creative and more supportive asset-focused solutions to relieve onerous and inflexible probation conditions. In Iowa, young people between the ages of 16–22 involved in the justice system may participate in the Youthful Offender Program. This pre-trial release program offers alternative justice options such as reconciliation or restitution; it assists with General Educational Development (GED) or high school diploma preparation, employment services, and life skills training. Young adults who successfully complete the program may have a felony charge reduced to a misdemeanor offense.⁴⁰

San Francisco’s Young Adult Court is a collaborative, “problem-solving” court for young adults ages 18–25 arrested in San Francisco. It brings together partners from the Superior Court of California; Office of the Public Defender; Office of the District Attorney; Adult Probation Department; Family Services Agency (Felton Institute); Goodwill Industries; Department of Children, Youth, and Their Families; Sheriff’s Department; Jail Reentry Services; and the Department of Public Health. Young adults with misdemeanor and felony cases are eligible to participate and may join on a pre-plea basis, probation basis, or deferred entry of judgment basis. Programs are developmentally appropriate, are trauma informed, and include clinical case management, group counseling, drug monitoring, housing, parenting, and academic support.⁴¹












45 % of state prison admissions nationwide are due to violations of probation or parole for new offenses or technical violations.

THERE ARE EFFECTIVE ALTERNATIVES TO INCARCERATION

Prosecutors, court intake officials, judges, and others in the court process have the option of diverting young people to community-led programs or other alternatives, while ensuring public safety. These diversion options can occur at any of the key decision points in juvenile justice, including: 1) juvenile court intake, 2) pre-trial detention, 3) disposition or sentencing, 4) probation, 5) placement in a juvenile corrections assessment center, and 6) community reentry. These options present effective off-ramps towards positive solutions and healthy development. In other cases, community groups work with courts and law enforcement to promote social services as alternatives to court-dictated outcomes.

Table 2. Court officials and staff have healthy alternatives to imprisonment to offer young people

ROLE	ALTERNATIVE OPTIONS WITHIN THEIR CONTROL
 <p>PRE-TRIAL SERVICES STAFF</p>	<p>Add behavioral health screening and assessments to pre-trial intake processes.</p> <p>Provide feedback to the court while people are on community supervision, to satisfy judges' and prosecutors' public safety concerns.</p>
 <p>DEFENSE COUNSEL, INCLUDING PUBLIC DEFENDERS</p>	<p>Partner with social workers or clinicians to screen and assess clients for eligibility and refer clients to a court-based treatment diversion program.</p>
 <p>BEHAVIORAL HEALTH PROVIDERS</p>	<p>Recommend services and make connections to community-based organizations to secure housing, substance use treatment, employment services, etc.</p>
 <p>PROSECUTORS</p>	<p>Determine those eligible for behavioral health diversion programs and connect people to appropriate services.</p>
 <p>JUDGES</p>	<p>Order a diversion, receive reports on progress, and oversee the dismissal of charges or resumption of a criminal case based on the participant's completion of the program.</p>
 <p>COURT ADMINISTRATORS</p>	<p>Develop policies and procedures, assign calendars, facilitate accessibility for participants and program partners, and potentially ensure ongoing training and program sustainability.</p>
 <p>COURT-BASED CLINICIANS OR COURT LIAISONS</p>	<p>Determine service needs, make referrals, and enroll people in diversion and/or education and workforce programs.</p>
 <p>JAIL-BASED STAFF</p>	<p>Share information from screening and assessments at booking or identify those eligible for services, with court-based diversion lead.</p>
 <p>OUTREACH SPECIALISTS</p>	<p>Identify relevant resources for veterans, people experiencing housing instability, and other sub-populations who may be diversion program participants.</p>

Source: Adapted from *The Council of State Governments (CSG) Justice Center, Frequently Asked Questions: A Look into Court-Based Behavioral Health Diversion Interventions (New York: CSG Justice Center, 2020). Used with permission from the CSG Justice Center.*

Concerned community groups, such as the New Mexico Alliance for the Mentally Ill in Bernalillo County, New Mexico, have bolstered cooperation between the mental health and the criminal justice systems. The agencies and groups involved in this informal consortium established a jail diversion program for people experiencing mental health challenges who were convicted of misdemeanors. Options exist for both pre-trial and post-booking diversion. Pre-trial personnel coordinate with law enforcement and mental health professionals to deliver appropriate treatment and keep people experiencing mental health crises out of jail. A post-booking screening process identifies individuals for conditional release; this is accompanied by an individual treatment plan and a recommendation for the judge. Through this program, the county has saved approximately \$400,000 per year.⁴²



We need to listen to communities and create an infrastructure where community leaders, family members, and young people determine what matters to them and co-design the solutions in partnership with government agencies. Authentic partnership would increase trust and buy-in, and lead to better outcomes... and should be supported by public dollars.

—STEPHEN BISHOP, SENIOR ASSOCIATE, JUVENILE JUSTICE STRATEGY GROUP, THE ANNIE E. CASEY FOUNDATION

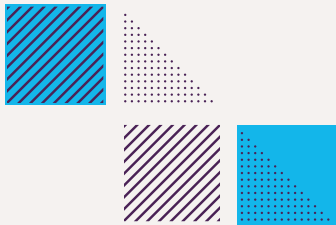
A 2019 evaluation report of the Brooklyn Young Adult Initiative—an effort that created a young adult court to promote social services as alternative court outcomes—concluded, “Community-based services can be mandated with confidence; there is no evidence that such alternative mandates compromise safety.”⁴³

INCARCERATION

Incarceration, imprisonment, or confinement often follows conviction and sentencing by a court. In the United States, there are state prisons and local jails for adults convicted in state courts; federal prisons for people convicted in federal courts; and a range of residential institutions such as training schools or camps for minors adjudicated delinquent in juvenile court hearings.

While the Bureau of Prisons notes that the number of people in prisons has declined consistently over the last decade—down 11 percent between 2009 and 2019—the problems in jails and prisons, and the difficulties they create, have not abated.⁴⁴

Antwane’s Story

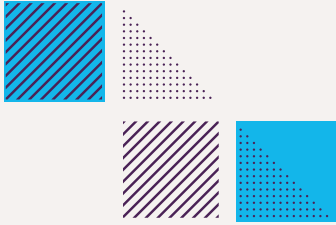


[With respect to judges and sentencing] If they actually understood more. If they actually had a grasp of what we go through, then I could say that the relationship between us and the judge might be better, because they will understand that I have three children, I have a sick grandmother, I have an aunt who has just passed away, I have a mother who is a single mother. They need help. It’s a lot that I leave behind when you are the person who holds the family together. Just leaving them behind and leaving everybody to do everything on their own, that’s kind of hard. —Antwane

MORE ATTENTION MUST BE PAID TO THE UNDERLYING CONDITIONS OF PEOPLE WHO ARE INCARCERATED

The effects on the family and the community of those incarcerated are also essential to consider. Correctional institutions are notorious for holding large numbers of people with substance use problems or mental health challenges, including **unaddressed traumas**. Data from the National Inmate Survey, for example, show that 58 percent of state prisoners and 63 percent of people in local jails were dependent on or abused drugs in 2007–2009 (compared to 5 percent of 18 and older in the general population).⁴⁵ Yet only 15 percent of state prisoners and 14 percent of people in local jails received any sort of drug treatment (such as placement in a special residential or detoxification unit, professional counseling, or a maintenance drug regimen).⁴⁶

Calvin's Story



A lot of people don't realize these facilities are full of drugs as well. I had a chance every day if I wanted to smoke marijuana. If I wanted to do any type of hard drug, if I wanted to drink liquor, I could have done it every day. If you put someone in prison who already has a drug problem, now you are going to surround them with drugs. You've put them in a situation where there are more drugs, and they have nothing but time on their hands. What is there for them to do that's productive? What is there for them to not think about doing drugs? Nothing but to look at four walls. [Drugs] are all they want to do because drugs are all they have to do. —Calvin

▶ *Let's say that we have done a good job through changes such as raising the age [when a juvenile can be held responsible or prosecuted as an adult], not adjudicating so many young people in the system, etc. That means the kids that are still left in the system are the neediest kids...the ones to experience the most trauma which has led to their juvenile delinquency. They're the ones who are in households that are unable to care for them, are food insecure, have high poverty, and low resources. And there's where we don't have a through line in our overall thinking about funding for this system—of all the reasons why a young person enters into it. And creating opportunities all along that through line to intervene.*

—STEPHANIE MCGENCEY, Ph.D.,
EXECUTIVE DIRECTOR, AMERICAN
YOUTH POLICY FORUM

In addition, more than half of those incarcerated suffer from some type of mental health challenge. Justice Department data from 2010–2011 indicated that 14 percent of people in state and federal prisons and 26 percent of people in local jails had a current mental health challenge, while 37 percent of people in prisons and 44 percent of people in jails had a history of mental health concerns.⁴⁷ Of those with a history of mental health challenges, 13 percent of people in prison and 16 percent of those in local jails suffered from post-traumatic stress disorder (PTSD).⁴⁸ Although at least three-quarters of imprisoned people with mental health concerns had received mental health services at some point in their lives, only about half of those needing attention received treatment in prison, with people in local jails even less likely to receive mental health services in confinement.⁴⁹

FACILITIES CAN STEER YOUNG PEOPLE DOWN A PATH TO EMPLOYMENT AND EDUCATION

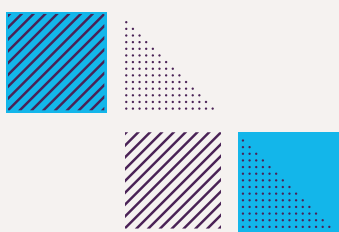
While mental health and substance use issues pose one set of barriers to people in prisons, the lack of **adequate preparation for employment** on release presents other hurdles. For example, 41 percent of incarcerated people do not have a high school degree.⁵⁰ And while 48 percent of the general population has some level of post-secondary education, only 24 percent of people in federal prisons have any postsecondary training.⁵¹ Although 35 percent of state prisons offer college level courses, only 6 percent of people in prisons have been able to take advantage of this opportunity, largely due to lack of funding.⁵²

These educational shortcomings in prisons exist at a time when about 65 percent of jobs in 2020 require a post-secondary education.⁵³ Besides the knowledge offered by a post-secondary education, the experience can build an array of social, emotional, and cognitive competencies (such as active listening,

active learning, critical thinking, problem-solving, social-perceptiveness and interpersonal skills) that are also needed to be successful in 21st century employment.⁵⁴

Finally, during our interviews with young adults, we discovered that although vocational training does exist in many prisons, those with little time left to serve are often ineligible to participate, and those who are eligible often wait in line for openings.

Joseph's Story



Me personally, I wasn't able to take advantage of a lot of the good ones [trainings] because I didn't have enough time left on my bid in order to take advantage of those. Those are really geared toward people who have more time. And they weren't really anything that was really conducive to inner city living, like I said before. The things they have you learn in there are really better for the outskirts where you're never really going to be when you get home...You have to have transportation for the job skills they teach you like carpentry and electrician. You have to have transportation to do any of those. —Joseph



We need to reimagine educational equity; what all educational practices should look like across the board, and not by the zip code you live in.

—GALEN DEMUS, CAREER COACH
TEAM LEAD, KENTUCKY CAREER
YOUTH CENTER

Unless jails and prisons become **avenues for growth and development**, problems like unaddressed mental health concerns and substance use that trigger unsafe behavior, or inadequate education and training that place people in economic jeopardy, will continue to be provocations that fill and refill our jails and prisons. Part of the solution to ending recidivism lies in addressing these problems in jails and prisons through **robust work and learning programs** and trauma-informed approaches to mental health.

State investment in learning creates a path toward more sustainable employment—good paying, full-time jobs with benefits and an avenue for career growth. The most effective short-term learning programs involve vocational training and state certifications or licenses that enable a newly-released person to get a good paying job in short order.⁵⁵ The dilemma here, however, is often one of urgency. Those released from prison typically need an income immediately and don't have the leisure to first train for three months or more. One way to overcome that hurdle is to start the training “inside the walls,” pre-release.

The National Center on Institutions and Alternatives (NCIA), a Compass Rose Collaborative partner, is answering this need. NCIA offers several 15-week vocational training and certification programs at their vocational training



I know that this will reduce recidivism. As you are finishing up you have your eye on the prize.

—KHAYLA DORSEY -ALEXANDER,
REGIONAL EXECUTIVE DIRECTOR,
NCIA, BALTIMORE, MD



By shortening the time frame and going behind the wall, I think it's something more institutions should be open to and more organizations should be open to... We want to disrupt the norm. It's not something that is occurring often, if at all.

—KHAYLA DORSEY -ALEXANDER,
REGIONAL EXECUTIVE DIRECTOR,
NCIA, BALTIMORE, MD

facilities in Baltimore, MD, and Charlotte NC, including programs in Heating, Ventilation and Air Conditioning (HVAC), automotive repair, drone engineering and operations, culinary arts, and commercial driver license (CDL) Class B. At the moment, it offers these programs entirely as post-release learning and training opportunities.

Prior to the onset of COVID-19, NCIA was in discussion with the Mecklenburg County Sheriff's Office about working inside one of its facilities in Charlotte, NC, and held preliminary conversations with the Department of Juvenile Services in Baltimore, MD, as well as the Federal Bureau of Prisons, to move a portion of course training that is not hands-on inside the walls. Under this training model, NCIA will conduct six weeks of the trainings (normally the classroom or general knowledge portion of the certifications), during the students' incarceration, **increasing equity and access to training**. NCIA will use the same instructors and the same course schedule inside the walls as at their own locations. After release, the young adults will be able to complete the remaining nine weeks of hands-on technical portions at NCIA's training center. There, they will continue with the same instructors and on the same schedule, giving them program continuity and **reinforcement of existing relationships**. At the completion of training, NCIA works with its community partners and employers to place its students in high-paying jobs.

In addition to their vocational training, participants in NCIA's programs learn essential skills such as conflict resolution and personal communication that will help them thrive in the workplace. The training head start that NCIA will provide inside the walls should be motivational; it will also provide an immediate structure, purpose, and connection to an industry sector on release.

Promoting diploma, degree, and certificate-conferring learning opportunities in prisons can reduce recidivism significantly by empowering returning community members to support themselves and their families. Not only do prisons need to ramp up GED programs to ensure that every person who is incarcerated has completed his or her GED prior to release; prisons also need to promote post-secondary education and vocational training to ensure that, on release, people who were incarcerated have an opportunity to be self-sufficient, contributing members of their communities.

Post-secondary education can substantially improve the lives of young adults by ensuring considerably higher incomes—pulling some people out of poverty and also helping guarantee **sustainable employment**, thereby improving conditions for families and communities. Research in 2013 showed that workers with post-secondary educations earned 74 percent more than workers with a high school diploma or less.⁵⁶



Research conducted by the Vera Institute of Justice indicates that people in prison who pursue post-secondary education are

48% 

less likely to recidivate than those who do not.

Importantly, the availability of post-secondary education in prisons also constitutes a **“racial equity strategy,”** according to the Vera Institute of Justice, because it helps chip away at the disparities that have made it difficult for Black people to build wealth.⁵⁷

A positive step toward making post-secondary education accessible inside the walls is the restoration of Pell grants for incarcerated individuals. The Consolidated Appropriations Act, 2021 fully restored Pell funding for students who are incarcerated.⁵⁸ Not only does this legislation open educational opportunity for a half a million people in prisons who qualify; it also affords an effective way to reduce recidivism.⁵⁹

Research conducted by the Vera Institute of Justice indicates that people in prison who pursue post-secondary education are *48 percent less likely to recidivate* than those who do not.⁶⁰

CREATING TRAUMA-INFORMED CULTURES IN PRISONS CREATES A SAFER PRISON ENVIRONMENT

Most correctional institutions are ill-equipped to address trauma and by their very nature are more likely to exacerbate traumas than diminish them. A 2012 study described the basic experience:

Inmates arrive shackled and are crammed into overcrowded housing units; lights are on all night, loudspeakers blare without warning and privacy is severely limited. Security staff is focused on maintaining order and must assume each inmate is potentially violent. The correctional environment is full of unavoidable triggers, such as pat downs and strip searches, frequent discipline from authority figures, and restricted movement.⁶¹

Yet, **providing trauma-informed care** in prisons is an imperative. When the focus is on creating safety, rather than preventing violence, clinical and other staff can manage interactions among incarcerated people and not undermine treatment gains. Benefits can include reducing recidivism, reducing infractions in jail or prison, reducing the use of seclusion or restraint, and reducing treatment relapses.⁶² While trauma-informed care may take different forms, the Substance Abuse and Mental Health Services Administration (SAMHSA) proposes four assumptions that ground trauma-informed programs.

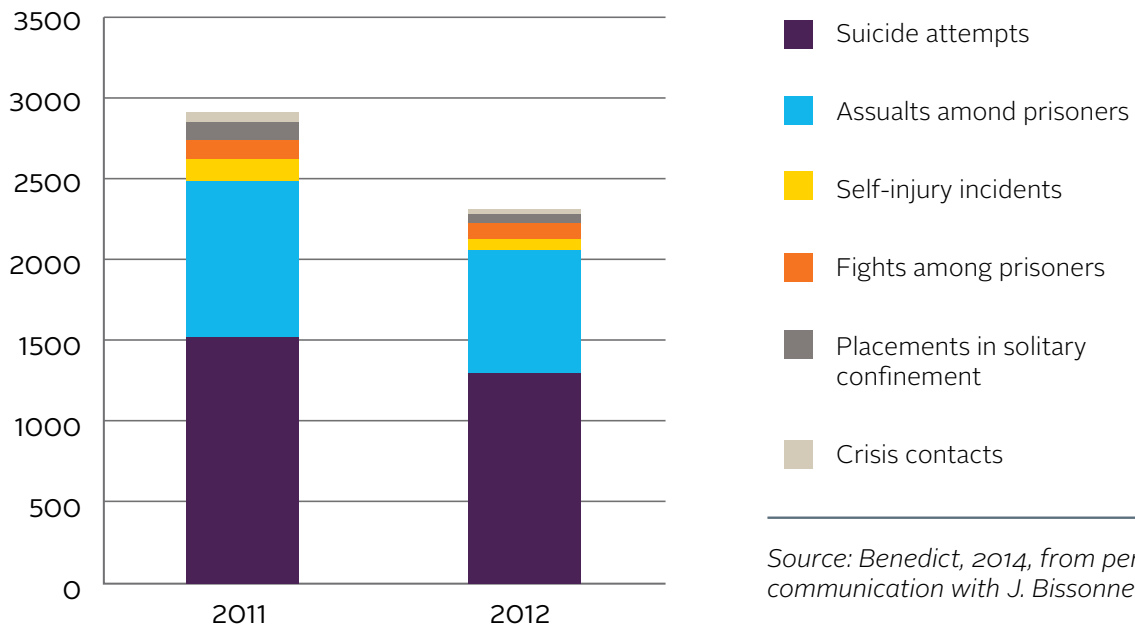
A program, organization, or system that is trauma-informed realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively resist re-traumatization.⁶³

In women’s correctional settings, where one of the most common shared experience is a history of past trauma, the development of a trauma-informed culture has included:⁶⁴

- An appreciation and understanding by staff of the penetrating effects of trauma on both the body and the brain
- The development of programs that educate women on how trauma affects them to help them cope
- The establishment of prison practices that are structured to help women manage their symptoms in order for them to safely take advantage of institutional programs and services

The Massachusetts Correctional Institute, Framingham (for women), for example, implemented trauma-informed strategies that included “training all staff on trauma-informed approaches, implementing a peer support program for the women, and opening an Intensive Treatment Unit for especially vulnerable women.”⁶⁵ Figure 5 shows that improvements following establishment of a trauma-informed culture included a 54 percent decrease in one-on-one assaults and a 46 percent reduction in fights among incarcerated women. Suicide attempts also fell 60 percent.⁶⁶

Figure 5. Problematic behavior/disciplinary actions before and after introducing trauma-informed approaches at the Massachusetts Correctional Institute, Framingham (for women)



Source: Benedict, 2014, from personal communication with J. Bissonnette



We have students who come and sit in a daze...The automotive instructor came to me and said, 'we have to get food for these kids.' They don't eat. They are more than likely living in a house with a lot of people, or couch surfing. We have one student who came into my office and said, 'Yeah I was at my abandominium last night' [an abandoned house where he was squatting]. How can you focus like that?

—KHAYLA DORSEY-ALEXANDER,
REGIONAL EXECUTIVE
DIRECTOR, NCIA, BALTIMORE, MD

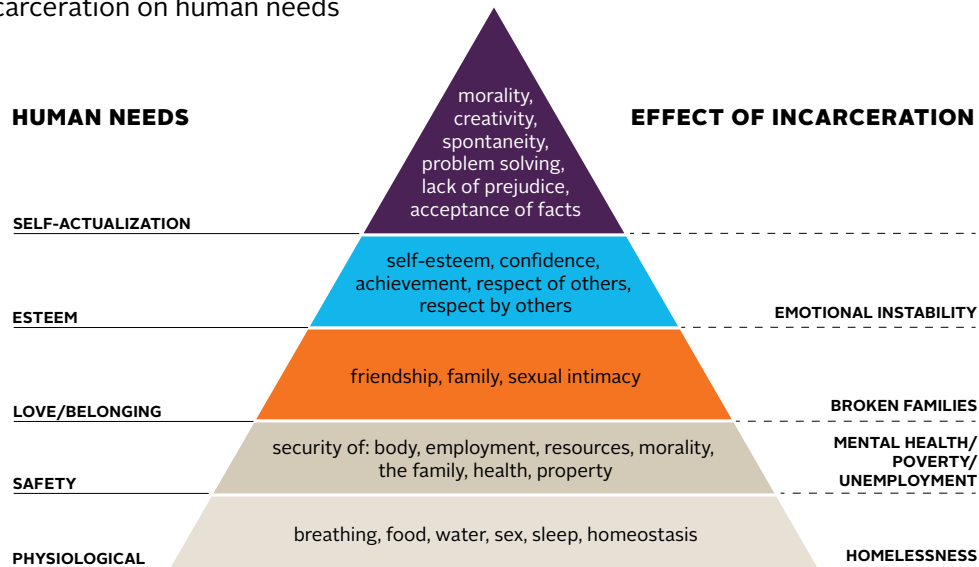
REENTRY

Reentry, or return into the community after a period of incarceration, is a critical phase when young adults can be set up for success and put on a positive path to work, education, and a better future. In many cases, their trauma may still be unaddressed, their social and emotional skills may have been neglected while in the justice system, and workforce preparation has gone only to the lucky few. Reentry is the period when these needs can and must be met.

A young adult's path through the justice system starts and ends in the community. At reentry, through partnerships, the community plays an important role in successful reintegration for returning young adults. Community support—from providing access to basic survival needs to counseling, apprenticeships, housing, legal services, transportation, childcare services, and more—aims to position the returning community member for a stable, productive future.

When young adults first reenter their communities, they have a multitude of needs. First and foremost are their basic survival needs, such as food, water, shelter, clothing, money, and basic health maintenance. Without these fundamental human needs being met, returning young adults cannot focus on employment, learning, and career planning. Unfortunately, these needs are frequently overlooked in transition planning by the facility they are leaving.

Figure 6. The effect of mass incarceration on human needs



Source: Opportunities Industrialization Center (OIC) of America, based on Maslow's Hierarchy of Needs. Adapted with permission from OIC

STABLE HOUSING IS A 'MUST HAVE' FOR RETURNING YOUNG ADULTS TO PREPARE FOR WORK AND LEARNING

One of these basic needs is a safe place to stay, and yet many returning young adults face housing insecurity and homelessness on day one. They are precluded from joining their families in public housing because of restrictions on people with criminal records (and would place their families at risk of eviction).⁶⁷ Some hope to avoid the people and places that contributed to their criminal justice involvement. Still, a staggering 48,000 people who enter shelters each year come directly from jails or prisons, as estimated by the U.S. Interagency Council on Homelessness.⁶⁸ The Prison Policy Initiative reports that formerly incarcerated people are almost ten times more likely to be homeless than the general public.⁶⁹ Compounding the problem, municipal policies that criminalize homelessness increase the likelihood of rearrest and reincarceration of people who have been in prison, setting up a “revolving door.”⁷⁰

Many reentry programs help returning young adults secure housing in half-way houses, boarding houses, homeless shelters, residential treatment programs, the YMCA, or by reserving motel rooms for short stays. In reality, many returning young adults are in constant motion, staying with friends or family for short periods until they can find a better option. Yet, case managers told us they warn young people against normalizing such behavior. In reality, they say, if you don't have a key to an apartment, you're effectively homeless.

There are two good ways to improve the housing situation for young adults returning to their communities: removing the restrictions on public housing for people with criminal records and investing in housing facilities for returning young adults.



48,000

people who enter shelters each year come directly from jails or prisons, as estimated by the U.S. Interagency Council on Homelessness.



OUTSIDE THE BOX:

Teaming with barbers provides young adults with mentorship, strong social connections, and a link to their community

CommunityWorks, Inc., a Denver-based Compass Rose Collaborative program, is purposely co-located with a barbershop where barbers provide mentorship, free haircuts, and connections to community. It also hosts Cipher Saturdays, an event where young people can highlight their musical talents through freestyling and other methods of musical artistry. Barbershops have historically been hailed as sacred and safe places for young men and women in the types of communities that the Compass Rose Collaborative serves, and the barbershops provide community members with a place to meet and collectively nurture solidarity, a sense of belonging, and shared culture.

The Vera Institute of Justice examined 11 public housing reentry programs in a 2017 study, *Opening doors: How to develop reentry programs using examples from public housing authorities*.⁷¹ In Burlington, VT, in a program fully funded by the Vermont Department of Corrections, the local housing authority (the Burlington Housing Authority, BHA), works with local probation and parole officers, landlords, and property managers to offer housing to people formerly incarcerated, seeking to place them with family if possible. Otherwise, BHA contacts local landlords on their behalf or refers them to a BHA-operated transitional housing program. Five community justice centers also provide case management services to program participants.⁷²

Project 180 in Sarasota, FL, promotes housing stability for adults returning to their communities. Project 180 is a prisoner reentry 501(c)(3) nonprofit in the Sarasota area. Project 180's *First Week Out* pilot program reduces the fear, apprehension, and unknowns for returning community members. The pilot program provides food, arranges shelter and funding for an individual's first two weeks, and introduces the individual to local employers. The organization makes sure someone is at the bus station to greet the returning community member, since a few missed connections can mean the returnee never stabilizes.

Project 180 works with the local Probation Office of the Florida Department of Corrections to collect the names of individuals scheduled for release to Sarasota and reaches out to them prior to their release. Too often, community members returning to the area arrive on the bus late at night when there is a risk of being victimized or offered drugs. If the individual has been accepted into Project 180's Residential Program, the individual is taken to one of two renovated private homes. Whether in the Residential Program or a client of *First Week Out*, the individual applies for a state-issued identification or driver's license and begins job hunting and settling back into community life. *First Week Out* is critical in anchoring returnees and making them feel safe as they reintegrate into the community.



ENABLING A YOUNG ADULT TO CREATE A BETTER LIFE IS A COMMUNITY ENDEAVOR

Looking beyond basic needs, returning young adults may also require health and mental health services, transportation, childcare, legal services, digital and financial empowerment training, or the prosocial skills incorporated in restorative justice practices. **Every community can foster innovative and culturally-responsive partnerships to support young people.**

Providing a full suite of wraparound service requires **community-led collaborations** among criminal justice professionals, city and county governments, community colleagues and universities, social service agencies and not-for-profit organizations, and local employers, churches, and youth

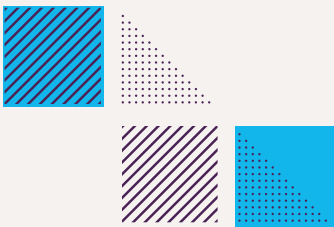
organizations. (See Figure 7.) A National League of Cities report confirms this approach, finding that a continuum of community-based services, including **positive relationships**, participation in **work and community service**, and restorative practices result in positive outcomes for young adults.⁷³

Figure 7. Community partners are essential for wraparound services

 <p>Young people themselves, who need to be engaged fully as partners</p>	 <p>A range of small and large employers, labor unions, and established relationships with hiring managers</p>		 <p>Legal aid and advocacy agencies</p>
 <p>Child support agencies</p>	 <p>Housing agencies</p>	 <p>Child care organizations</p>	 <p>Transportation infrastructure</p>
 <p>Mental health agencies and professionals</p>	 <p>K-12 school districts, community and technical colleges, four-year universities, unions and other partners</p>		 <p>Community partners that offer supportive services and can meet immediate needs</p>
 <p>Banking and financial institutions</p>	 <p>Law enforcement agencies and personnel such as police officers, adult and juvenile courts, drug courts, judges, probation and parole systems leaders and officers, department of corrections, diversion programs, and the department of juvenile justice</p>		 <p>Policymakers and elected officials across a range of systems</p>

Source: Bird et al., 2020

Calvin's Story



And, making it so difficult for somebody to get a job? Now you've put a person in a situation where they've been incarcerated, they can't get a job. What are they supposed to do? Stay broke? People are going to do what they have to do, even go back to selling drugs. It is not that people want to go back to selling drugs. There are people like that. When they are fresh home, they go right back to selling drugs. There are also people that want to come back and do great. But it is not that easy. —Calvin



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Reentry practitioners we spoke with emphasized that a ‘warm hand-off’—walking a young person over to a trusted community partner and introducing them—is essential to giving confidence and a sense of safety to young adults who may have some anxiety about trusting yet another institution. More than providing essential services to young adults, community-based care confers a sense of belonging, connection, and offers a vision of a promising future.

WORKFORCE READINESS NEEDS MUST BE MET ON REENTRY

On reentry, young adults must climb the hill of acquiring skills that can secure employment, as well as essential skills—such as digital and financial empowerment—necessary for navigating the worlds of work and learning. Often young adults involved in the justice system are getting a late start. Priscilla Turgon, Founder and Executive Director of Project New Start in Wilmington, DE, told FHI 360 that 51 percent of her program participants don’t have a high school diploma or GED.⁷⁴



Joseph's Story

In the beginning I didn't have anywhere to go. I was put in the shelter and the parole house until I was able to get out of there. It was a lot of restrictions as far as getting to work because of lack of vehicle, because of lack of capital. Things like that were big restrictions, even a lack of clothes. [I didn't have] the proper attire to actually go into job interviews and things like that. I was definitely denied so many jobs because of my record. As soon as the background check comes in, no more interviews, no more calls. They'll love me all up until that. This is from, like doing call center work to working at auto appliance shops...People with felonies kind of have to become entrepreneurs in some capacity, whether that's you starting your own business or working for a private entity.

I went from McDonald's and Red Lobster to actually creating a program within McDonald's that was able to allow me to run youth programs throughout the summertime. I was able to really engage with a lot of the youth during that time and this is right after my initial release from prison where I was able to really talk my manager from McDonald's into giving me enough budget to do these things. And we were providing a lot of things to the city, like for the Stop the Violence Peace March and rally we did the human-sized hamster bowls, McDonald's food, and things like that.

From there I started working with Compass Rose and the [City] Summer Youth Employment Program, where I was the administrative assistant, and I was also the office manager for the Summer Youth Employment Program... A lot of the skills that I gained from over that time, and management and administrative work as well as accumulating funds and keeping track of funds and project management helped me secure different employment, where I am now working as a community organizer for a tenants' organization. I am also director of operations for a property management company...where we refurbish old, abandoned buildings...to offer out affordable housing. —Joseph





Can you show me your

- Vocational training
- Certificate programs
- Apprenticeships/
pre-apprenticeships
- Documentation of prison/jail work
experience
- Work references
- Prison work verification
- Written recommendations
- Relevant education including
completion of GED, community
college, or skilled trade school
courses

Young adults reentering their communities and seeking employment find themselves transitioning from one system—the justice system—to another system—the employment system.⁷⁵ Young adults face a completely new and different set of expectations that must be met to be successful in the working world. The “employer-driven model” focuses on the market and labor needs of the employers, which in turn determine which qualifications and certifications are in demand.⁷⁶ According to the National Institute of Corrections,⁷⁷ employers expect to see a myriad of competencies and documentation when considering hiring a second-chance employee:

- Vocational training
- Certificate programs
- Apprenticeships/pre-apprenticeships
- Documentation of prison/jail work experience
- Work references
- Prison work verification
- Written recommendations
- Relevant education including completion of GED, community college, or skilled trade school courses

By collaborating and **securing partnerships across the community** to understand local employers’ and market needs, reentry case workers can guide program participants to community colleges, four-year universities, internships, technical institutes, and employer-sponsored training programs. For example, the staff at the Compass Rose Collaborative partner organizations that operate

in many cities across the nation research the high-demand fields in their service areas, design training offerings, and make employer connections around them. Participants join the workforce sooner and can begin to support themselves and their families. Table 3 provides examples of several partner organizations and the high-demand fields in their areas.

Table 3. Identifying high-demand fields and designing training for them assists in rapid job placement

COMPASS ROSE COLLABORATIVE IMPLEMENTING ORGANIZATION	HIGH-DEMAND FIELDS
COMMUNITYWORKS COLORADO SPRINGS, CO	Construction, transportation, industrial, barbering, retail, customer service, printing, and screen-printing technology
NATIONAL CENTER ON INSTITUTIONS AND ALTERNATIVES BALTIMORE, MD	Commercial driving and transportation; automotive; heating, ventilation, and air conditioning (HVAC); unmanned aviation operations; and culinary arts
OUR PIECE OF THE PIE HARTFORD, CT	Customer service, health and safety administration, industrial, welding, electro-mechanical, occupational safety and health, culinary arts, and security/public safety
PHOENIX YOUTH AND FAMILY SERVICES SOUTHEAST AR	Automotive, early childhood education, emergency medical technology and services, manufacturing, health and safety administration, administrative, commercial driving and transportation, welding technology, diesel technology, and healthcare
THE RIGHTWAY FOUNDATION LOS ANGELES, CA	Carpentry, construction, occupational safety and health, industrial, administrative, maintenance, parks and recreation administration, film, performing arts, and theatre

Source: FHI 360

Our Piece of the Pie, in Hartford, CT, provides employment training and certifications in high-demand fields for its participants through Asnuntuck Community College (ACC) in Enfield, CT. Students can be credentialed in welding, machine or electro-mechanical maintenance. Paul Felici, Academic Associate at ACC’s Advanced Manufacturing Technology Center, reports that the one-year, two-semester program fills several community needs. It meets the state’s manufacturing sector’s needs for skilled staff; it provides the young adult with in-demand technical skills and a path to a future career; it reduces crime and prison costs; and it increases tax revenue. Serving as many as 300 students per semester—the unemployed, underemployed, people experiencing homelessness, and the formerly incarcerated—the college brings its students on to campus and teaches them in technology labs and workshops where they get hands-on experience.



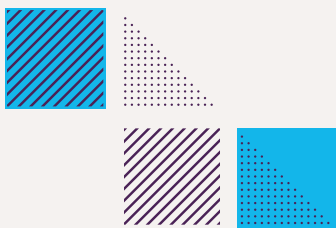
Mr. Felici noted that (aside from during COVID-19) program instructors also teach inside the walls to incarcerated individuals and recruit students there. When they are released, they know about ACC and can **continue the mentor relationships** and the credits they have already started. Mr. Felici stressed the importance of essential skills; the program offers tips on punctuality, professional demeanor, resumes, cover letters, interviews, and communication.

The Dean of the program meets three times a year with an advisory board and regularly with state workforce boards to receive advice on in-demand skills and employment trends and how “to keep our program sharp.” He works with 100 companies including Pratt and Whitney, the aerospace and defense company, to understand their needs.

SUCCESSFUL REENTRY PROGRAMS PRIORITIZE A YOUTH-CENTERED APPROACH

A youth-centered approach puts young adults in **partnership with caring adults** involved with the reentry programs they are experiencing. This approach maximizes youth input and customizes programs around their perceptions, interests, and needs.⁷⁸ The young adults and their case workers and mentors co-create a vision of what opportunities look like for them, based on where they are.

Antwane's Story



Sometimes youth don't have the right guidance. Or they don't have any guidance at all. So just having someone who is actually going to be there and know that all of us aren't trying to be someone that we don't want to be. Try to be there for them as much as possible. They need that person to be on their back, to push them to strive and be better. Show them different aspirations of life. Show them a way to be a better person. Just try to listen to them, ask them how they really feel, what's really on their mind. —Antwane

Young adults who become decision makers in programs that impact and serve them have positive experiences around self-expression, inclusion, validation, being heard and seeing their ideas come to fruition. Organizations that want to work with youth and integrate youth voices into their work can follow these principles, enumerated in the National Youth Employment Coalition's pioneering Youth Leadership Initiative and publication, *We Know What Needs to be Done*.⁷⁹

- Equity and inclusion
- Collaboration and support
- Co-design
- Assets and strengths
- Power sharing

In 2019, the Compass Rose Collaborative incorporated a Young Adult Leadership Council into its reentry programs. Comprising currently enrolled participants and alumni selected from the Compass Rose Collaborative communities, the council meets monthly to develop activity plans, network, provide feedback, and advise program staff. These young adults are vital partners in developing strategies, methods, and approaches for the program. Participation in the leadership and other councils gives youth a sense of ownership and the chance to identify challenges and opportunities in their own communities, becoming problem solvers as well.

FHI 360 also facilitates other leadership council opportunities for the young adults in the program, such as participation in national advisory councils, sharing their stories through a youth voices campaign, co-facilitating sessions and webinars, and so forth. In 2020, the Young Adult Leadership Council collaborated with FHI 360 and staff in their own communities to create a new, unified Work and Learning Plan document that utilizes youth-friendly language and structures. This tool can be used by program participants to collaborate with partners in the community and captures participants' voices in their own success planning.

Joseph's Story



I had dreams, but dreams are different than goals because goals actually have plans behind them. Compass Rose (Collaborative) really helped me identify the steps that it would take to do the things that I wanted to do, that I'm doing now. —Joseph

Finally, many young adults in the Compass Rose Collaborative program say they are motivated to give back to their communities, to **guide and mentor others** who are coming along after them in reentry, to share their hard work, struggles, and success. An example of a person with lived experience giving back to reentry programs is Andre Law, a program facilitator for a Compass Rose Collaborative partner organization, CommunityWorks, Inc. in Denver, CO. He has seen both sides of reentry, having been incarcerated himself. He says all he wants to do is give back and contribute.



*Success to me is not money.
This is success to me what
I am living now...It is a
demonstration of love.*

— **ANDRE LAW**, FACILITATOR,
COMMUNITYWORKS, INC.

To encourage those with lived experience to support other youth through employment, FHI 360 has created the Youth Development Practitioner Apprenticeship (YDPA) program. The YDPA program is a registered apprenticeship program, certified by the U.S. Department of Labor, to prepare youth development professionals to become case managers, employment specialists, recreation specialists, and any occupation that works directly with young people. The apprenticeship program provides a non-traditional pathway for underrepresented young people, making jobs in the youth development field **more accessible**, while supporting the ‘earn and learn’ model that most young people affected by the justice system need. The first cohort will be trained in 2021.

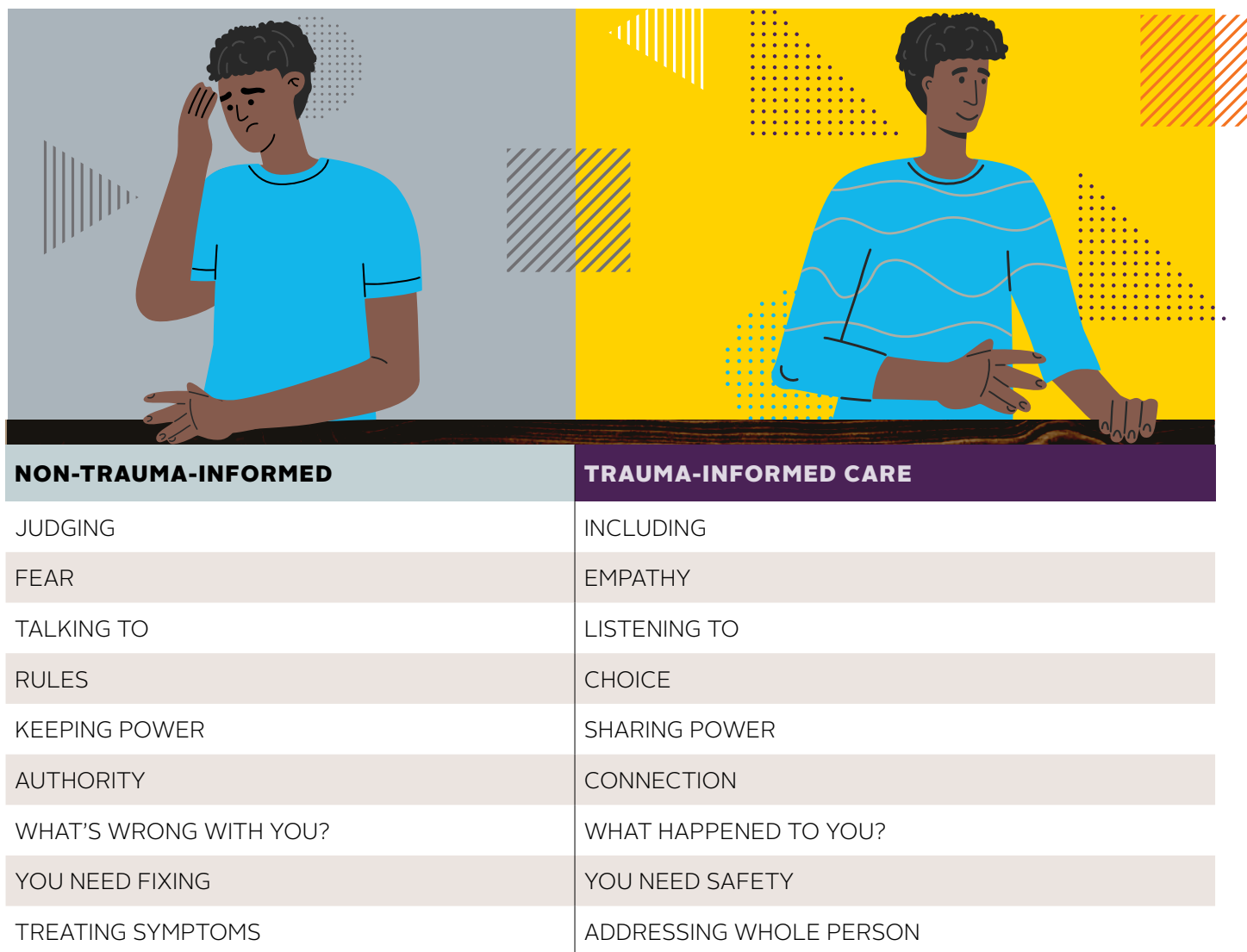
TRAUMA-INFORMED TRAINING IS KEY TO HELPING YOUTH AND EMPLOYERS MEET EACH OTHER HALFWAY

Many young adults transitioning to the world of work and learning are still grappling with the effects of childhood trauma after leaving incarceration. According to the Institute on Trauma and Trauma-Informed Care (ITTIC) at the University at Buffalo, there are five principles of **trauma-informed care**.⁸⁰

- **SAFETY**—Ensuring physical and emotional safety
- **CHOICE**—Individual has choice and control
- **COLLABORATION**—Making decisions with the individual and sharing power
- **TRUSTWORTHINESS**—Task clarity, consistency, and setting personal boundaries
- **EMPOWERMENT**—Prioritizing empowerment and skill building

Training in trauma awareness makes those who come in contact with youth able to understand and empathize with their experience; it also helps youth better understand themselves. Trauma-informed programs increase trust, enrich communication, and help move youth to a healthy, more confident place.

Figure 8. Trauma-informed care uses a validating, inclusive, and positive approach



FHI 360 and The RightWay Foundation in Los Angeles have teamed up to offer **trauma-informed training** suitable for employers, school personnel, probation and parole officers, and other service providers who interact with returning community members. For employers, the purpose of the training is to encourage and prepare them for second-chance hiring and to improve employee retention.

The employer training focuses on mentoring, engagement, rapport-building, communication, active listening, giving effective feedback, encouraging a growth mindset, setting boundaries, self-care, mindfulness, transformational leadership, and closure. It uses evidence-based approaches that are effective for any leader, including those who hire youth who are out of work and out of school (opportunity youth) or justice-involved youth who have experienced trauma.⁸¹

FHI 360 believes that the programs we offer our young people are more effective when they incorporate a trauma-informed healing approach. Our practitioners recognize that our youth have experienced a high rate of adverse childhood experiences. These traumatic experiences can interfere with our returning community members' learning and their transition to employment. In making this video training series for adults who work with returning youth, we learned from employers that they had improved interactions, and retention increased. Overall, they found the experience quite positive and rewarding.

—LISA JOHNSON, DIRECTOR, FHI 360 NATIONAL INSTITUTE FOR WORK AND LEARNING



III. Conclusion

Our report, *A New Justice Paradigm: Collaborative Approaches for an Equitable System*, describes the many challenges that young adults face in the criminal justice system and their journeys through life. We shared the insights and stories of Rosa, Calvin, Joseph, and Antwane, who talked about their traumatic experiences growing up, their encounters with the justice system, their experiences while incarcerated, and their roads to success on release and reentry.

Based on their insights, other interviews, and our literature review, we identified four fundamental practices that we believe should define the criminal justice system—not only to help young people *avoid* the system, but to ensure that youth who may have gotten off on the wrong foot have an *opportunity to succeed* as adults. The first of these practices is the adoption of **trauma-informed training and approaches** at every step along a young person's path, both inside and outside the criminal justice system, and the teaching and learning of social, emotional, and cognitive skills in correctional facilities and reentry programs. Second, we continue to advocate for the inclusion of **sustainable work and learning opportunities** to enable young people to thrive as adults and not only to have dreams, but to have access to opportunities to pursue them. Third, we have found through our own work, and confirmed by the experiences of others, that establishing broad and deep **community-led collaborations** and partnerships, surrounding young people with services wherever they are in the community, are critical. Fourth, these partnerships, community programs, and reentry experiences must be grounded in support for the development of **strong personal and caring relationships**.

We set out several shortcomings of the criminal justice system, highlighting pervasive **inequities** as seen in the disproportionate percentages of people of color who are arrested, imprisoned, on probation, or paroled; bail systems that discriminate against the impoverished; the lack of adequate treatment to support underlying conditions and work and learning opportunities in correctional settings; and the many basic unmet needs expressed by people who are released from prison with nothing in their pockets and few places to turn. We also highlighted programs that serve as great examples of the practices we believe need to be expanded throughout the criminal justice

system and society to provide young people the support they need to succeed. These include programs implemented for women at the Massachusetts Correctional Institution, Framingham, and the **trauma-informed training** program developed by the RightWay Foundation of Los Angeles (in partnership with FHI 360) for employers, social workers, mental health professionals, staff working in prisons, teachers, and others who work with young people impacted by trauma in their communities.

Other successful initiatives described included that of the State of Illinois, which became the first U.S. state to eliminate cash bail completely—leading the way to establish **equitable institutions and systems**; and NCIA's **sustainable work and learning program**, which will soon provide educational opportunities pre-release, inside the walls—thereby improving equity and inclusion for people of color, who have experienced the adverse effects of disproportionate punishment.

We noted reentry programs like Sarasota's Project 180, which provides food, clothing, and housing for newly released individuals, and the Burlington Housing Authority (entirely funded by the Department of Corrections), which removes the barrier of housing instability by securing housing for people returning from prison. We also mentioned the work of our Compass Rose Collaborative



partners around the country that focus on **sustainable work and learning** opportunities for returning young adults, and the **community-led collaboration** established by Our Piece of the Pie in Hartford, CT, with Asnuntuck Community College, which provides vocational training and certifications for young people, enabling graduates to pursue a career, not simply a job.

Finally, we underscored the significant influence of **caring and supportive adults** who listen to, respond to, and amplify the voices of young people. They have enormous impact on the positive growth and development of our youth. We have seen this firsthand in our programs and learned of it repeatedly in the interviews we conducted with our dedicated colleagues throughout the country.



IV. Epilogue

A New Justice Paradigm: Collaborative Approaches for an Equitable System, addresses the many inequities and challenges that exist for young adults who become involved with the criminal justice system—and it suggests solutions for some of them. In the best of all worlds, rather than patching broken systems and people who have been harmed, we would rather ensure that children everywhere, and from a very early age, are supported so that they avoid behaviors that lead them into trouble and justice involvement altogether. Keeping children and young adults out of justice involvement is a worthy goal for everyone; it scales down the reach of a system that is often damaging to young people and families and promotes healthy, inclusive, safe, and productive communities.

Keeping young people connected to productive work and learning opportunities, and out of the justice system, has benefits that go even beyond the overall well-being of these youth. The societal benefits are far-reaching as well as being cost effective. Above we pointed out the average annual cost of incarcerating a person, highlighting the fiscal burden states take on to support a strategy that often fails to set up young people for independence and transformation. This cost is often paired with subsidized support to young adults upon their reentry. Inequitable policies and excessive reliance on incarceration are not only ineffective, but expensive.

Our hope is that the information presented in this report will inspire readers to do their parts to contribute to a transformative justice system that restores people and communities. We hope that this inspires you to [take action now](#) to make a positive impact within a system that should be just and equitable for all.

Appendix



FHI 360 interviews for this publication

NAME	TITLE AND ORGANIZATION	DATE
STEPHEN BISHOP	Senior Associate, Juvenile Justice Strategy Group, Center for Systems Innovation, The Annie E. Casey Foundation	January 11, 2021
GALEN DEMUS	Career Coach Team Lead, KentuckianaWorks	December 21, 2020
KHAYLA DORSEY-ALEXANDER	Regional Executive Director, NCIA	December 23, 2020
ADIL ELMEDNOUB	Reentry Employment Program Administrator, Jefferson County Kentucky Department of Corrections, Division of Reentry Services	December 17, 2020
PAUL FELICI	Academic Associate, Advanced Manufacturing Technology Center, Asnuntuck Community College	December 18, 2020
ED JACOUBS	Consultant, Massachusetts District Attorney's Office	January 19, 2021
PAM KELLEY	Chair of Criminology and Sociology Department at Stonehill College, and Executive Director, Kelley Research Associates	December 15, 2020
ANDRE LAW	Facilitator, CommunityWorks, Inc.	December 17, 2020
STEPHANIE MCGENCEY, PH.D.	Executive Director, American Youth Policy Forum	January 14, 2021
BARBARA RICHARDS	Chief Executive Officer, Project 180	October 11, 2020
ANDRAYA SLYTER, MSW	Chief Operating Officer/Therapist, The RightWay Foundation	January 12, 2021
PAULA THOMPSON	Executive Director, Voices for a Second Chance	December 18, 2021
PRISCILLA TURGON	Founder and Executive Director, Project New Start	December 16, 2020
JASON WHYTE	Senior Director of Operations and Strategy, Opportunities Industrialization Center (OIC) of America	January 5, 2021
YOUTH INTERVIEWS		
'JOSEPH' YOUTH INTERVIEW	(Actual name withheld)	January 14, 2021
'CALVIN' YOUTH INTERVIEW	(Actual name withheld)	January 6, 2021
'ROSA' YOUTH INTERVIEW	(Actual name withheld)	January 5, 2021
'ANTWANE' YOUTH INTERVIEW	(Actual name withheld)	January 26, 2021



Notes



1. Census Bureau, 2020.
2. BJS, 2020c.
3. Ibid.
4. The Equality Trust. <https://www.equalitytrust.org.uk/about-inequality/impacts>. Accessed Feb 29, 2021.
5. Census Bureau, 2020; FBI, 2020; BJS, 2020a; BJS 2020b.
6. Centers for Disease Control and Prevention, 2019.
7. National Child Traumatic Stress Network. 2018. (The NCTSN is a federally-funded child mental health service initiative authorized by Congress in 2000. See their website for additional information on childhood trauma, treatments, and resources: <https://www.nctsn.org/>.)
8. Ibid.
9. Shonkoff & Garner, 2012.
10. Ibid.
11. Centers for Disease Control and Prevention. 2019.
12. Jones, 2018, as cited by Bird et al., 2020.
13. Subramanian, 2015, as cited by Bird et al., 2020.
14. Mizell & Siegel, 2014.
15. Snyder & Sickmund, 2006.
16. FBI, 2020. (See especially tables 29, 38)
17. Ibid., table 38.
18. Shah and Strout, 2016, p. 11 (citing Employment Screen IQ 2015; Holzer et al., 2004; and Rodriguez & Emsellem, 2011).
19. Walters, 2020.
20. Ibid.
21. Police Mediation Partnership, (n.d.)
22. Mai & Subramanian, 2017.
23. Rabuy & Kopf, 2016.
24. Ibid.
25. Sawyer & Wagner, 2020.
26. Ganeva, 2019. (Describes Bronx public defenders' long-time efforts through the Bronx Freedom Fund to release their clients from pre-trial detention. According to Robin Steinberg who founded the initiative: "We realized bail was a huge driving force of incarceration for our clients. It's the single most powerful coercive lever that got people to plead guilty to crimes, even if they didn't do it. Even for sums as low as \$250. We were frankly appalled.")
27. Rabuy & Kopf, 2016.
28. Office of the Governor, 2021.
29. Ibid.
30. Circuit Court of Cook County, 2019.
31. Austin and Naro-Ware, 2020.
32. Juveniles on Probation. (n.d.)
33. Ibid.
34. National Research Council, 2013.
35. Annie E. Casey Foundation, 2018a. p. 6.
36. Ibid., p. 14. (Citing National Juvenile Defender Center, 2016.)
37. Bird, et al., 2020.
38. Annie E. Casey Foundation, 2018a. p. 1.
39. Council of State Governments, 2019. Summary p.1.
- (Note that the authors observe that distinguishing between a new offense and a technical violation can be difficult, even where data are available.)
40. Hayek, 2016.
41. Ibid. (See also Lindell & Goodjoint, 2020; and Henderson-Frakes, et al., 2017)
42. Prison Policy Institute, 2000.
43. Pooler and Dalve, 2019, p. viii.
44. Carson, 2020.
45. Bronson et al., 2017.
46. Ibid.
47. Bronson & Berzofsky, 2017.
48. Ibid.
49. Ibid.
50. Bender, 2018 (citing Harlow 2003).
51. Ibid.
52. Bender 2018 (citing Gorgol, L. & Sponsler B. 2011).
53. Carnevale et al., 2013.
54. Ibid.
55. Bird et al., 2020.
56. Carnevale, et al., 2013.
57. diZerega & Chochos, 2020.
58. Cantora, 2020.
59. Cantora, 2020.
60. diZerega & Chochos, 2020.
61. Miller & Najavits, 2012, p.1.
62. Ibid.
63. Substance Abuse and Mental Health Services Administration, 2014, p. 9.
64. Benedict, 2014.
65. Ibid.
66. Ibid.
67. Electronic Code of Federal Regulations, 2021.
68. Weiss, n.d.
69. Couloute, 2018.
70. Ibid.
71. Bae et al., 2017.
72. Ibid.
73. National League of Cities, 2017.
74. Priscilla Turgon interview, December 16, 2020.
75. Project New Start in Wilmington, DE, conducts reentry simulation exercises as another way to train/expose all partners such as employers to the challenges these young people face.
76. National Institute of Corrections, 2014.
77. Ibid.
78. Sinclair et al., 2020.
79. National Youth Employment Coalition, Youth leadership Initiative (2021) National Youth Employment Coalition | What We Do (nyec.org).
80. University at Buffalo, n.d.
81. The RightWay Foundation, n.d.

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